Appln. No.: 09/640,103
Amendment Dated August 10, 2006
Reply to Office Action of April 19, 2006

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Remarks/Arguments:

Applicant thanks the Examiner for the telephone interview on July 20, 2006 with Applicant's Attorney during which it was agreed that the Johnson reference does not teach "rule sets being associated with one another in accordance with a hierarchical structure."

Claims 1-16 are pending in the above-identified application. Claims 1-16 were rejected under 35 U.S.C. § 103(a) in view of Buskirk Jr. et al. (hereinafter Buskirk) and Johnson et al. (hereinafter Johnson). Applicant respectfully submits that this ground for rejection is improper because neither Buskirk, Johnson nor their combination disclose or suggest "... a plurality of classification rules ... wherein the classification rules are arranged into a plurality of rule sets, said rule sets being associated with one another in accordance with a hierarchical structure," as required by claim 1. Claims 8, 9, 14, 15 and 16 include similar recitations.

Buskirk concerns an electronic messaging system that includes a classifier and an action selector. As shown in Fig. 2, Buskirk includes a rules applier as a part of the classifier. The rules applier is coupled to receive classification rules. It is admitted in the Office Action, however, that Buskirk does not disclose or suggest, applying the one or more rule sets to the message content in accordance with a hierarchical structure. Accordingly, Buskirk can not disclose or suggest classification rule sets that are associated with one another in accordance with a hierarchical structure.

For the hierarchical application of the rules, the Office Action cites Johnson. Johnson concerns a database including hierarchically arranged information. Johnson discloses, at column 6, lines 25-51 a method for analyzing and/or categorizing user provided text information. According to this process, the provided text information is analyzed and/or categorized to associate it with a node in the hierarchical database. If, after applying the classification rules, the provided text information is associated with a node on the most general level, the action module requests more information from the user and processes this additional information through the analysis/classification section to attempt to associate the provided information with a more specific node of the database. This operation of Johnson, however, does not disclose or suggest the use of rule sets that are associated with one another in accordance with a hierarchical structure, as required by the amended claims. Instead, Johnson discloses only a single analyzer/classifier that applies the same rules to two different texts
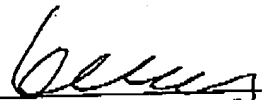
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provided by a user in order to associate the texts with nodes in the database. Consequently, Johnson does not provide the material that is missing from Buskirk.

Because neither Buskirk, Johnson nor their combination disclose or suggest at least this feature of claims 1, 8, 9, 14, 15 and 16, these claims are not subject to rejection under 35 U.S.C. § 103(a) in view of Buskirk and Johnson. Claims 2-7 and 11-13 depend from claim 1 and claim 10 depends from claim 9. Accordingly, these claims are not subject to rejection under 35 U.S.C. § 103(a) in view of Buskirk and Johnson for at least the same reasons as claims 1 and 9.

In view of the foregoing remarks, Applicant requests that the Examiner reconsider and withdraw the rejection of claims 1-16.

Respectfully submitted,

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Dated: August 10, 2006

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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (571) 273-8300 on:

August 10, 2006

Patricia C. Boccella

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